

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DARRYL GREEN,

a/k/a "D"

BRANDEN MORRIS,

a/k/a "B"

JONATHAN HART,

a/k/a "Jizz," and

EDWARD WASHINGTON,

a/k/a "Eddie,"

Defendants

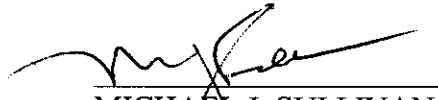
Criminal No. 02-CR-10301-NG

CERTIFICATION

The government has filed a notice of appeal of the (Gertner, J.) June 2, 2005 Memorandum and Order Re: Motions to Strike Notice of Intent to Seek the Death Penalty and Order (docket entries 340 and 341, entered on the docket on June 2, 2005) and June 6, 2005 Amended Memorandum and Order: Re Motions to Strike Notice of Intent to Seek the Death Penalty and Amended Order (docket entries 343 and 344, entered on the docket on June 6, 2005), which orders granted in part the motions of defendant Darryl Green and Branden Morris to strike portions of the government's Notice of Intent to Seek the Death Penalty and excluded certain evidence from the defendants' capital trials. Pursuant to 18 U.S.C. §3731, the United States Attorney hereby certifies to the district court that the

appeal is not taken for the purpose of delay and that the evidence is a substantial proof of a fact material in the proceeding.

Respectfully submitted,


MICHAEL J. SULLIVAN
United States Attorney

Certificate of Service

I, Theodore B. Heinrich, AUSA, hereby certify that I have caused a copy of this notice to be served by e-filing and by first-class mail on the following defense attorneys: (1) David P. Hoose, Esq., Katz, Sasson, Hoose & Turnbull, Suite 304, 1145 Main Street, Springfield, MA 01103; (2) Wayne R. Murphy, Esq. Murphy & Flaherty, 43 Bowdoin Street 1A, Boston, MA 02114; (3) Randolph M. Gioia, Esq., 24 School St., 8th Floor, Boston, MA 02108; (4) Sarah Jennings Hunt, Esq., 675 Massachusetts Ave., Suite 900, Cambridge, MA 02139; (5) William C. Brennan, Jr., Esq., Brennan, Trainor, Billman & Bennett, LLP, 5407 Water St., Suite 105, Upper Marlboro, MD 20772; (6) George F. Gormley, P.C., 655 Summer St., Boston, MA 02210; (7) John H. Cunha, Jr., Esq. Cunha & Holcomb, PC, Suite 500, One State Street, Boston, MA 02109-3507; (8) Max D. Stern, Esq., and Patricia Garin, Esq. Stern, Shapiro, Weissberg & Garin, Suite 500, 90 Canal Street, Boston, MA 02114-2022; on June __, 2005.

